

Application for a Permit to
Store Water in a Reservoir
Alternate Review (ORS 537.409)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME LUKE FORTIER		PHONE (HM)	
PHONE (WK)	CELL 541-990-4934	FAX	
MAILING ADDRESS 33140 HWY 34 SE			
CITY ALBANY	STATE OR	ZIP 97322	E-MAIL * LUKE@GETYOURGRUBONSUBWAY.COM

Organization

NAME		PHONE	FAX
MAILING ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME GSI WATER SOLUTIONS INC. ATTN: KYLE GORMAN		PHONE	FAX
MAILING ADDRESS 147 SW SHEVLIN HIXON DRIVE, SUITE 201			CELL 541-279-9093
CITY BEND	STATE OR	ZIP 97702	E-MAIL * KGORMAN@GSIWS.COM

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically.
(Paper copies of the final order documents will also be mailed.)

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By my signature below I confirm that I understand:

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- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

➔ I (we) affirm that the information contained in this application is true and accurate.

LUKE FORTIER, Land Owner
Print Name and Title if applicable

8/14/25
Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 4: PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (please check appropriate box below then skip to section 5)

☒ There are no encumbrances.

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances.

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

N/A

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SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

Reservoir name:	FORTIER Reservoir				
Source*:	Water will be pumped from Well 2 (LINN 63786) and Well 4 into the storage reservoir via a distribution mainline.	Tributary:	N/A		
County:	Linn				
Quantity:	90.0 (780' x 898' x 5.6')/43560 Acre-Feet [length x width x depth / 43,560]				
Reservoir Location:	Township (N or S)	Range (E or W)	Section	Quarter-Quarter	Tax Lot #
	12 S	2 W	17	SE1/4 and NE1/4	200
Maximum Height of Dam:	9.5 feet. If excavated write "zero feet."				

* Provide the name of the water body or other source from which water will be diverted and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose

NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses, which may include stock water, fish and wildlife, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

☒ Yes (please check appropriate box below then skip to section 5)

☐ There are no encumbrances.

☐ This land is encumbered by easements, right of way, roads of way, roads or other encumbrances.

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☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

N/A

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Alternate Reservoir Application — Page 2

Rev. 06/2023

SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: ☐ in-stream or ☒ off channel?

Wetland: Is the project in a wetland? ☐ YES ☒ NO ☐ unknown

Existing: Is this an existing reservoir? ☐ YES ☒ NO

If YES, how long has it been in place? N/A years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? ☐ YES ☒ NO ☐ unknown

If YES, how much? N/A miles.

Existing: Have you been working with other agencies? ☐ YES ☒ NO

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project. N/A

SECTION 6: WITHIN A DISTRICT

☐ Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME N/A		ADDRESS	
CITY	STATE	ZIP	

SECTION 7: DESCRIPTION

Provide a short description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Planning and Design

1. **Site Assessment:** Identify runoff and drainage patterns to determine the best configuration for the pond.
2. **Pond Design:** The pond will be mostly square and roughly 17 acres (approximately 740,520 square feet). The pond dimensions will be approximately 780' x 898' x 5.6.'
3. **Dam Specifications:** The dam will have a maximum height of 9.5 feet.

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Construction

1. **Clearing the Site:** Clear any vegetation and debris from the designated pond area. This includes removing trees, shrubs, and topsoil as necessary.
2. **Excavation:** Use heavy machinery to excavate the pond to the specified depth and shape. This may involve digging out the central area while creating a gradual slope toward the edges.
3. **Building the Dam:** Construct the dam walls using appropriate materials, such as compacted earth, clay, or rock. Ensure the walls are built with a gentle slope on the upstream side to manage water pressure effectively.
4. **Compaction:** Compact the soil in the dam to reduce permeability and increase stability. This may involve using rollers or other equipment to achieve a dense structure.
5. A berm will be constructed on the up hill side to prevent run off entering the pond and a berm will be constructed on the bottom to prevent fish entering the pond during flooding.

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Final Touches

1. **Erosion Control:** Install measures such as silt fences or vegetation around the dam and pond edges to prevent erosion and runoff.
2. **Landscaping:** Add native plants and trees around the pond to enhance its appearance and provide habitat for wildlife.
3. **Monitoring:** Regularly check the pond and dam for any signs of erosion or structural issues, especially after heavy rains or storms.

If the diversion involves a dam, use this space below (or attached pages) for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

N/A

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Application Completeness Checklist

Applicants are encouraged to use this checklist before submitting a complete application to the Department.

1. ☒ Landowner name, mailing address and telephone number provided
2. ☒ Application signed – All parties noted as applicants must sign the application
3. ☒ Source and tributary listed
4. ☒ Reservoir Location – TRSQQ and tax lot provided
5. ☒ Dam height indicated
6. ☒ Property ownership completed
7. ☐ If applicant does not own all the land, is the affected landowner's name and mailing address listed?
8. ☒ Environmental impact section completed?
9. ☒ **Completed Watermaster review sheet**, signed and dated. *Note: Must be completed within last 12 months.*
 - Will the reservoir injure an existing water right? ☐ YES ☒ NO
 - If YES, can conditions be applied to mitigate injury or is mitigation included? ☐ YES ☐ NO
If NO, return the application.
10. ☒ **Completed ODFW review sheet**, signed and dated. *Note: Must be completed within last 12 months.*
 - Will the reservoir pose a significant detrimental impact to an existing fishery resource? ☐ YES ☐ NO
 - If YES, can conditions be applied to mitigate the impact or is mitigation included? ☐ YES ☐ NO
If NO, return the application.
11. ☒ **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?
Note: Does the use on land-use form match the proposed use on the application? Must be completed within the last 12 months.
12. ☒ **Include a copy of a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance often meets this requirement.
13. ☒ **Acceptable Map**. *Note: Requirements set forth by the Commission.*
 - ☒ Reservoir Location – Identifying Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
 - ☒ Scale of the Map – Even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
 - ☒ Reference public land survey corner shown on map – A tax lot corner is not acceptable unless it is also a public land survey corner.
 - ☒ North directional symbol
 - ☒ ¼'s clearly identified
 - ☒ Reservoir clearly identified
 - ☒ Dam location identified, with measured distances from survey corner. If no dam, use coordinates to the center of reservoir.
 - ☐ If diverting water from a river or stream to a reservoir located off-channel, include measured distances from survey corner and identify any main canals, ditches, pipelines, or flumes.

14. **Fees:** Are the appropriate fees included? Use this fee calculator to determine the application fees:

https://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/Permit_for_AltRes.aspx

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Attachment A

WaterMaster Review

Storage Permit Application (Alternate Process) – Fortier

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

Watermaster Name: Lanaya Blakely

Watermaster Signature:  Date: 7/31/25

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NOTE: This completed form must be returned to the applicant

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Attachment B

ODFW Review

Storage Permit Application (Alternate Process) – Fortier

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name: Luke Fortier

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Address: 33140 HWY 34 SE Albany OR. 97322

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Phone/Email: 541-990-4934 / Luke@getyourgrubsonsubway.com

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Reservoir Name: Fortier ReservoirVolume (AF): 90Source: Groundwater; Well 2 (LINN 63786) and Well 4Basin Name: Willamette☐ in-channelTwp Rng Sec QQ: 12S 2 W 17 SENW & NESW☒ off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) staff.

- 1) Is the proposed project and AO¹ off channel?..... ☒ YES* ☐ NO
(if yes then proceed to #4; if no then proceed to #2)

** Although the reservoir itself is off channel, native migratory fish may become trapped or entrained in the reservoir(s) during or after flooding events. Therefore, the permittee shall work with ODFW and obtain, in writing, an ODFW-approved fish passage plan to address egress from the reservoir(s) or other approved methods to keep fish out of the reservoir(s) during flood events (e.g., berm construction around the reservoirs). See "Egress" condition on last page.*

- 2) Is the proposed project or AO located where NMF² are or were historically present?..... ☒ YES ☐ NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?..... ☐ YES ☒ NO
b. Is there an ODFW-approved fish-passage waiver or exemption?..... ☐ YES ☒ NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

- 4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... ☒ YES ☐ NO

Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

- ☒ Any diversion or appropriation of water for storage during the period May – October poses a significant detrimental impact to existing fishery resources. *(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW*

¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

- ☐ This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

ESA-listed fish (winter steelhead and spring Chinook Salmon) and sensitive species (Coastal Cutthroat Trout and Pacific Lamprey) may be present in the Calapooia River and/or Oak Creek during the period of impact. There is insufficient information on instream flow availability (e.g., no applicable Water Availability Basin) in Oak Creek to determine if the proposed use will impair or be detrimental to fishery resources. However, the source is from 2 wells that are not yet permitted. Therefore, approval of this reservoir is contingent upon approval of G-19466. If PSI with Oak Creek is found, impacts to fishery resources from pumping will be identified in the ODFW review for the groundwater application.

In addition, ODFW reviewed available information (Temperature TMDL Replacement: Willamette River Mainstem and Major Tributaries) regarding water quality impairment and determined that the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion. Because the proposed use would impair water quality that supports existing fishery resources (e.g., habitat) at or downstream of the Point of Diversion, ODFW recommends that any releases from the reservoir to waters of the state (see "Water Quality" condition below) be restricted during the TMDL critical period of May - October.

Impairment to Fishery Resource	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Water Quantity												
Water Quality												

The proposed use will diminish physical habitat and alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, further alteration of habitat from the proposed use would impair or be detrimental to an existing fishery resource and/or their habitat without appropriate conditions and/or mitigation.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

- ☐ **NO** (explain) ☒ **YES** (select from Menu of Conditions on next page)

☒ See applicable conditions selected from "Menu of Conditions" on next page

Based on the application materials submitted, ODFW has determined that approval of the reservoir is contingent upon approval of G-19466.

If the application moves forward, ODFW recommends a 6'-9' tall berm to keep floodwaters from over topping the reservoir (based on a site visit on 03/13/2025). It is unclear if the proposed berm identified in the application to exclude runoff meets this criteria, so please reach out to Elise Kelley (541-757-5249) for further discussion.

ODFW Signature: _____

Danette Faucera

Digitally signed by Danette
Faucera
Date: 2025.08.08 13:43:09 -07'00'

Print Name: Danette Faucera

ODFW Title: Water Policy Coordinator

Date: 8/7/2025

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NOTE: This completed form must be returned to the applicant.

Revi/sed 10/4/12; reformatted 5/12/20

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

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Revised May 12, 2020, March 25, 2021

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Use this menu to identify appropriate conditions to be included in the permit:

- ☒ **Agricultural Water Quality Management Area Rules:** The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.
- ☐ **b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- ☐ **b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- ☒ **b51a** The period of use has been limited to November – April contingent on approval of G-19466 and any conditions therein.
- ☐ **b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- ☐ **b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.
- ☐ **blv:** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.
- ☐ **Bypass Flows:** Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:
- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
 - 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.
- Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.
- The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.
- ☐ **fence:** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- ☐ **fishapprove:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- ☐ **fishmay:** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- ☐ **fishpass:** As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.
- ☐ **fishself:** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee

shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

- ☒ **Fish Stocking:** Per ORS 498.222 and OAR 635-007-0600, all persons transporting live fish in Oregon shall have a Fish Transport Permit (FTP) issued by the Oregon Department of Fish and Wildlife (ODFW). The permittee shall not stock fish in the reservoir without an FTP approved by ODFW. As part of the FTP permitting process, the permittee may be required to screen the inlet and outlet of the reservoir to ensure that fish cannot escape into public waters and/or to keep wild fish from entering the reservoir.
- ☒ **Egress:** Native migratory fish may become trapped or entrained in the reservoir(s) during or after flooding events. Therefore, the permittee shall work with ODFW and obtain, in writing, an ODFW-approved fish passage plan to address egress from the reservoir(s) or other approved methods to keep fish out of the reservoir(s) during flood events (e.g., berm construction around the reservoirs). Approval of the proposed fish passage plan shall be obtained prior to diversion of water. The permittee shall submit proof to ODFW that fish passage (egress) has been implemented per the approved plan prior to diversion of water.
- ☐ **futile call:** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- ☐ **In-Water Work:** Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of type here unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.
- ☐ **Live Flow:** Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.
- ☒ **Off-Channel Stored Water Releases:** The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.
- ☐ **On-Channel Reservoir:** The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.
- ☒ **riparian:** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- ☒ **Water Quality:** All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.

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Attachment C

Land Use Information Form

Storage Permit Application (Alternate Process) – Fortier

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

NAME Luke Fortier			PHONE 541-990-4934		
MAILING ADDRESS 33140 Hwy 34 SE					
CITY Albany	STATE OR	ZIP 97322	EMAIL LUKE@GETYOURGRUBONSUBWAY.COM		

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
12 S	2 W	17	SE NW, NE SW, SE SW	200	EFU	☒ Diverted ☒ Conveyed ☒ Used	Irrigation & Storage
12 S	2 W	20	NE NW	200, 100		☐ Diverted ☐ Conveyed ☒ Used	Irrigation

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Linn County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Ground Water Registration Modification
☐ Limited Water Use License
 ☐ Exchange of Water
 ☐ Allocation of Conserved Water

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: **0.19** ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other **Storage**

Briefly describe:

The Applicant is requesting to use groundwater at a rate of up to 0.19 cfs from two wells for irrigation of 61.84 acres, and for storage in a pond. The locations of the wells, pond, and irrigation place of use are listed above and shown on the attached map.

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(1)

☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
Received by OWRD		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
AUG 25 2025		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
Salem, OR		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

--

Name: Alussa Boles Title: Planning Manager
Signature: Alussa Boles Date: 9/4/24
Governmental Entity: Linn County Phone: 541-967-3816

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

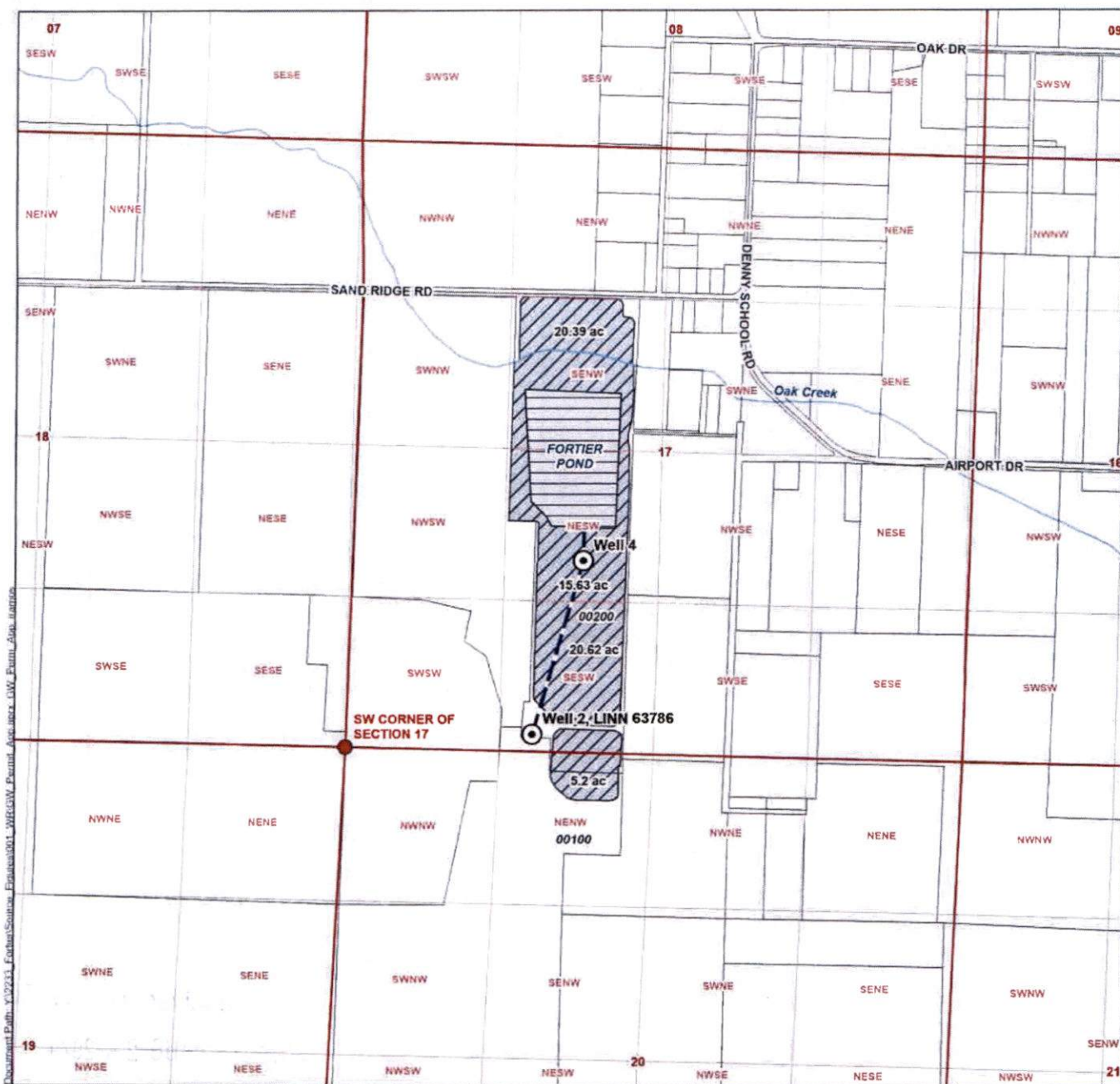
Please complete this form and return it to the applicant. **For new water right applications only**, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____



LEGEND

- ⊙ Proposed Point of Appropriation (POA)
- • — Conveyance Line
- Place of Use (POU) – Irrigation, 61.84 ac.
- Place of Use (POU) – Storage (Fortier Pond), 20.05 ac.
- All Other Features
- Tax Lot
- Major Road
- Watercourse

Application for a Permit to Use Groundwater for Irrigation and Storage Luke Fortier

Linn County
Township 12 South, Range 2 West (W.M.)

Received by OWRD

AUG 25 2025

Salem, OR

LOCATION DESCRIPTION

Well 2, LINN 63786

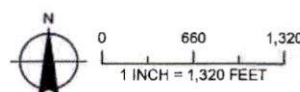
Located 110 feet North and 1,605 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

Well 4

Located 1,600 feet North and 1,995 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

DISCLAIMER
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: August 30, 2024
Data Sources: BLM, ESRI, OWRD, USGS



Received by OWRD

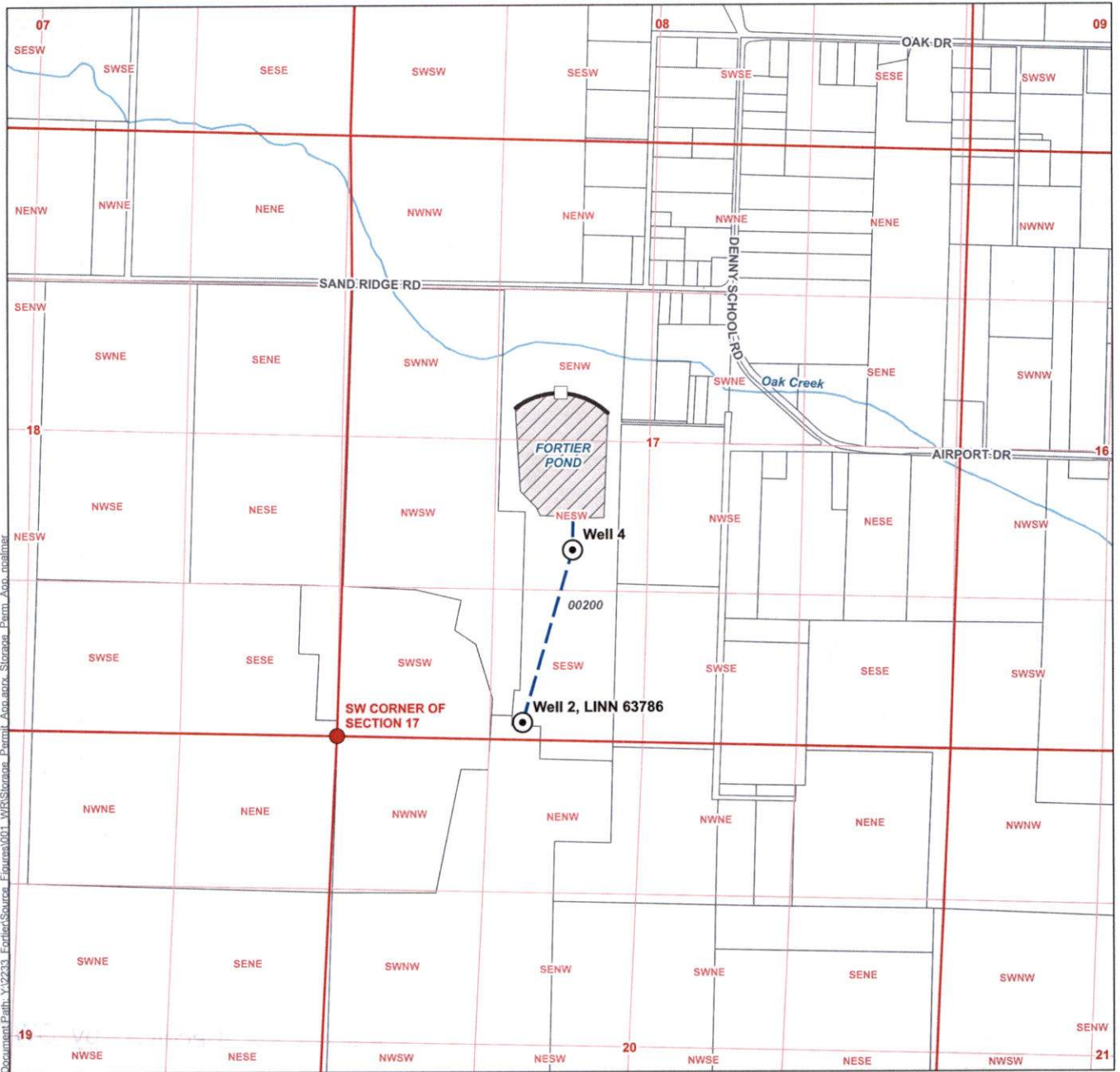
AUG 25 2025

Salem, OR

Attachment D

Application Map

Storage Permit Application (Alternate Process) – Fortier



LEGEND

- | | |
|--|--|
| <ul style="list-style-type: none"> ⊙ Proposed Point of Appropriation (POA) □ Center_Dam — Conveyance Line — Dam ▨ Place of Use (POU) – Storage (Fortier Pond), 17 ac. | <p>All Other Features</p> <ul style="list-style-type: none"> □ Tax Lot — Major Road ~ Watercourse |
|--|--|

Storage Permit Application on (Alternate Process)-Fortier Linn County Township 12 South, Range 2 West (W.M.)

Received by OWRD

AUG 25 2025

Salem, OR

LOCATION DESCRIPTION

Well 2, LINN 63786

Located 110 feet North and 1,605 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

Well 4

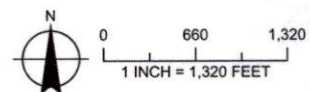
Located 1,600 feet North and 1,995 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

Center of Dam

Located 3,000 feet North and 1,890 feet East from the SW corner of Section 17, Township 12 South, Range 2 West (W.M.)

DISCLAIMER
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: November 5, 2024
Data Sources: BLM, ESRI, OWRD, USGS



Received by OWRD

AUG 25 2025

Salem, OR

Attachment E

Legal Description

Storage Permit Application (Alternate Process) – Fortier



LINN COUNTY, OREGON		2020-07418
D-WD		
Str=43 K. PETERSON	04/20/2020 12:11:00 PM	
\$10.00 \$11.00 \$10.00 \$60.00 \$19.00		\$110.00
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
Steve Druckenmiller - County Clerk		

After recording return to:
Lucas L. Fortier and Elena Fortier
33140 Highway 34
Albany, OR 97322

Until a change is requested all tax statements shall be sent to the following address:
Lucas L. Fortier and Elena Fortier
33140 Highway 34
Albany, OR 97322
File No. 343507AM

STATUTORY WARRANTY DEED

Linda M. Bishop; James and Loretta Freitag, as tenants by the entirety; and Lee Roy Freitag; each as their interest appear of record, all as tenants in common,

Grantor(s), hereby convey and warrant to

Lucas L. Fortier and Elena Fortier, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Linn and State of Oregon free of encumbrances except as specifically set forth herein:

Parcel 1:

Beginning 13.95 chains West of the Northeast corner of the C. Brooks Donation Land Claim No. 76, in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 15.48 chains; thence South 27.83 chains (refer to County Survey No. 27 for the Northwest corner of Donation Land Claim No. 76); thence East 3.58 chains; thence South 23.57 chains; thence West 88/100 chains; thence South 3.32 chains; thence West 2.70 chains; thence South 3.5 chains; thence East 15.48 chains; thence North 60.12 chains to the point of beginning.

ALSO the following: Beginning South 17.92 chains from the Northeast corner of said Donation Land Claim No. 76, in Linn County, Oregon; thence North 20 feet; thence West 13.95 chains; thence South 20 feet; thence East 13.95 chains to the point of beginning.

Parcel 2:

The South part of the following, lying in Section 20, Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon:

Beginning 13.95 chains West of the Northeast corner of the Donation Land Claim of Caleb Brooks, Claim No. 76, in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 15.48 chains to the Burkhardt Land; thence South 29.50 chains; thence East 3.58 chains; thence South 23.57 chains; thence West 88/100 chains; thence South 3.32 chains; thence West 2.70 chains; thence South 7.25 chains to the Northeast corner of a tract of land purchased from Mary Burkhardt; thence West 3.75 chains; thence South 9'47" West 16.70 chains to the Southwest corner of said tract; thence West 13.41 chains to the West line of said Donation Land Claim No. 76; thence South 48.80 chains to the Southwest corner of said Donation Land Claim No. 76; thence East 28.75 chains to the land of Wincken; thence North 55 chains to a point 72.75 chains South of the North line of said Donation Land Claim; thence East 7.40 chains; thence North 72.75 chains to the point of beginning.

ALSO to following:

Beginning 17.92 chain south of the Northeast corner of the aforesaid; thence North 20 feet; thence West 13.95 chains; thence South 20 feet; thence East 13.95 chains to the point of beginning, in Linn County, Oregon.

The true and actual consideration for this conveyance is \$1,000,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Received by OWRD

AUG 25 2025

Salem, OR

343507AM



August 19, 2025

Katie Ratcliffe
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Application to store water under the Alternate Review process on behalf of Luke Fortier

Dear Katie,

GSI Water Solutions, Inc. (GSI) is submitting the enclosed application on behalf of Luke Fortier for a permit to store water in a reservoir under the Alternate Review process. The Applicant is requesting to store up to 9.5 acre-feet of water in an excavated reservoir, the Fortier Pond. Water will be stored for multipurpose use.

The applicant is requesting a permit for multiple purposes including aesthetics and wildlife use. The Applicant will also file an application for the use of groundwater.

The permit application fee will be mailed to OWRD after we receive the temporary number for this application. The fee was calculated as follows:

Base Fee	\$720.00
Rate fee of \$62 per each AF	\$5,580
Permit Recording Fee	\$915
Total	\$7,215

If you have any questions regarding this application, please contact me at mbamberger@gsiws.com.

Sincerely,

A handwritten signature in blue ink that reads "Machel A. Bamfene".

Machelle Bamberger
Project Consultant Water Rights

Received by OWRD

AUG 25 2025

Salem, OR

Enclosure: Application to store water in a reservoir and attachments